

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

CORYDORAS TECHNOLOGIES, LLC

*Plaintiff,*

vs.

BEST BUY CO., INC., and  
BEST BUY STORES, L.P.

*Defendants.*

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Case No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Corydoras Technologies, LLC (“Corydoras”) brings this action against defendants Best Buy Co., Inc. and Best Buy Stores, L.P. (collectively “Best Buy”) and alleges:

**THE PARTIES**

1. Corydoras is a corporation organized and existing under the laws of Texas. Corydoras owns the entire right, title, and interest in the patents at issue in this case.

2. On information and belief, Best Buy Co., Inc. is a Minnesota corporation with a principal place of business located at 7601 Penn Avenue South, Richfield, Minnesota and is doing business in Texas and this judicial district. Best Buy Co., Inc.’s registered agent for service of process in Texas is CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201.

3. On information and belief, Best Buy Stores, L. P. is a limited partnership formed under the laws of Virginia with a place of business at 7601 Penn Avenue South, Richfield, Minnesota and is doing business in Texas and this judicial district. Best Buy Stores, L.P.’s registered agent for service of process in Texas is CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201.

4. On information and belief, Best Buy is in the business of selling wireless communication devices, such as smartphones, laptops and tablets, accused of infringement herein and related services and devices to its customers in the United States, including within the State of Texas and this District.

#### **JURISDICTION AND VENUE**

5. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code.

6. Subject-matter jurisdiction over Corydoras' claims is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

7. Best Buy has solicited business in the State of Texas, transacted business within the State of Texas and attempted to derive financial benefit from residents of the State of Texas, including benefits directly related to the instant patent infringement cause of action set forth herein. Best Buy has regular and established places of business in this District and throughout Texas.

8. Regular and established places of business of Best Buy in this District include Best Buy stores located at 5514 S. Broadway Ave, Tyler, TX; 422 W Loop 281 Ste. 100, Longview, TX; 4505 S. Medford Dr., Ste. 203, Lufkin TX; 5885 Eastex Fwy., Beaumont, TX; 823 N Creek Dr., Sherman, TX; 4210 Saint Michael Dr., Texarkana, TX; 190 E. Stacy Rd. Bldg. 3000, Allen, TX and 2800 N. Central Expressway, Plano, TX.

9. As a result of its retail activities in this District, Best Buy employs people and maintains inventory, including products accused of infringement herein, in this District.

10. Best Buy has used, sold and/or offered for sale mobile phones, tablets and laptops and/or have placed such devices into the stream of commerce, which devices have been offered

for sale, sold, and/or used in the State of Texas and this District. Best Buy has advertised, encouraged and instructed its customers on the use of the devices accused of infringement in this case and available to customers in the State of Texas and this District.

**11.** Best Buy is in the business of selling and offering for sale devices accused of infringement in this case at Best Buy stores physically located in this District and elsewhere. At the time of filing of this Complaint, devices accused of infringement in this case are offered for sale and sold by Best Buy to customers in Texas, including within this District.

**12.** On information and belief, Best Buy has used, sold, and/or offered for sale mobile phones, laptops and tablets that are alleged herein to infringe one or more claims of each of the patents asserted herein, and/or have placed such devices into the stream of commerce, which devices have been made, offered for sale, sold, and/or used in the State of Texas and this District, knowing such devices will be sold in the State of Texas and this District.

**13.** This Court has personal jurisdiction over Best Buy.

**14.** Best Buy is subject to personal jurisdiction in Texas and this judicial district, and is doing business in this judicial district.

**15.** Venue as to Best Buy is proper in this judicial district under 28 U.S.C. § 1400(b) because Best Buy has committed acts of infringement in this District and has regular and established places of business in this District.

#### **BACKGROUND**

**16.** The facts set forth in this Complaint preceding each Count of infringement are incorporated into each Count.

**17.** Corydoras owns over 100 U.S. Patents, including numerous patents related to technology for communication devices that is utilized in smartphones, tablets and laptops.

Corydoras' patented technology includes communication devices that, in addition to having the structure, capability and functionality to conduct audio and/or audio-visual communication, are capable of displaying a mirror image of a person or object in the view of the camera and/or remotely control other devices such as a light bulb.

**18.** Best Buy sells, offers to sell and/or uses mobile phones, laptops and tablets capable of voice and/or video communication and that, among other structure and capabilities, include, at least, a front camera and a display in which an image from the front camera is displayed as a mirror image. These mobile phones, laptops and tablets also include capability for remotely controlling another device (such as a smart light bulb), voice dialing, email, and/or call blocking. Laptops, tablets and mobile phones used, offered for sale and/or sold by Best Buy accused of infringement in this case are the Microsoft Surface line of tablets and laptops (more specifically, the Microsoft Surface Go, Surface Pro 6, Surface Pro, Surface Book 2 and Surface Laptop 2); Amazon Fire line of tablets (more specifically, the Amazon Fire HD 10 series, the Fire HD 8 series and the Fire 7 series); Dell laptops (for example, the Dell Inspiron series); Alienware laptops; HP laptops (for example, the HP Pavilion series); Acer laptops (for example, the Nitro 5 series) and reasonably similar Dell, Alienware, HP and Acer laptops that have a camera facing the same direction as the display in which the display displays an image from the camera as a mirror image and that are capable of voice communication; and Google Pixel smartphones (for example, the Google Pixel 3a and 3a XL and the Google Pixel 3 and 3 XL), Nokia smartphones and BLU smartphones that have a front facing camera and a display in which an image from the front camera can be displayed as mirror image. Such devices are accused of infringement in this action (collectively, the "Accused Products"). On information and belief, Best Buy will use, sell and/or offer for sale additional models of mobile phones, laptops and tablets in the future that are reasonably similar in

capability, structure and function to the Accused Products. Corydoras will rely on a reasonable opportunity for discovery of information regarding reasonably similar mobile phones, laptops and tablets that Best Buy uses, sells and/or offers for sale in the U.S. subsequent to the filing of the Complaint. Best Buy sells and offers to sell Accused Products in its stores and through its website.

**19.** On information and belief, Best Buy offers services to users of the Accused Products that are intended to encourage Best Buy customers to commit activities that infringe one or more of the patents asserted herein. One such example of Best Buy's advertisements, encouragement, instructions, enablement of, and/or use of remote control, for example, Best Buy's "Smart Lighting Setup" in which, on information and belief, Best Buy offers and sells home services and instructions, helps users download the remote control app, registers the smart lighting setup, enables personalized settings, and/or makes sure the device is working properly (including the remote control). Additionally, Best Buy also instructs and/or encourages its customers to control smart devices, such as light bulbs, by voice or mobile app, using for example Microsoft Cortana, Amazon Alexa and/or Google Assistant, and to make video calls.

#### **COUNT I – INFRINGEMENT OF THE '664 PATENT**

**20.** On August 17, 2010, U.S. Patent No. 7,778,664 ("the '664 patent"), entitled "Communication Device" was duly and legally issued to the inventor, Iwao Fujisaki. The '664 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the '664 patent, including the right to sue for and recover all past, present and future damages for infringement of the '664 patent.

**21.** The '664 patent is presumed valid.

**22.** Best Buy's Accused Products are capable of voice communication and audio-visual communication. For example, the Accused Products are made and sold with the capability to be

used in an audio call and/or audio-visual call between a customer of Best Buy that has purchased the Accused Product and another person's device. Best Buy's Accused Products include a camera on the same side as the display (referred to as a front facing camera herein). Best Buy also refers to this camera as the "Front-facing camera" and/or "Built-in Webcam." Best Buy's Accused Products are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

**23.** On information and belief, the Best Buy Accused Products and/or their use are covered by one or more of the following claims of the '664 patent: 1, 3, 6-10, and/or 15-18.

**24.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Microsoft Surface Go, Surface Pro 6, Surface Pro and Surface Book 2 tablets and/or laptops covered by claims 1,3, 6-10, and/or 15-18 of the '664 patent, and the Microsoft Surface Laptop 2 covered by claims 1,3 and/or 6 of the '664 patent.

**25.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Amazon Fire line of tablets, more specifically, the Fire HD 10 series, the Fire HD 8 series and the Fire 7 series of tablets covered by claims 1, 3, 6-10, and/or 15-18 of the '664 patent.

**26.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Dell line of laptops (including 2-in-1 devices), more specifically the Dell Inspiron series, having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Dell laptops that have similar structure and capability), covered by claims 1, 3 and 6 of the '664 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the I7386, I7586, I7786, I5482 and I7390.

**27.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Alienware line of laptops having a front facing camera, that displays a mirror image and

additionally are preloaded with Windows 10 (and all other such Alienware laptops that have similar structure and capability), covered by claims 1, 3 and 6 of the '664 patent. An example of a model used, sold and/or offered for sale by Best Buy is the AWM17-7219 SLV-PUS.

**28.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale HP laptops (including 2-in-1 devices) having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10, more specifically the Pavilion, Specter, Envy and Stream series (and all other such HP laptops that have similar structure and capability), covered by claims 1, 3 and 6 of the '664 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the Pavilion x360 (14m-dh-0003dx), Specter x360 (13AP-0053DX), Envy 2-in-1 (15M-DS0011DX) and Stream 11.6" (11AK1012DX).

**29.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale Acer laptops having a front facing camera, that display a mirror image and additionally are preloaded with Windows 10, more specifically the Nitro 5 series (and all other such Acer laptops that have similar structure and capability), covered by claims 1, 3 and 6 of the '664 patent. An example of such a model used, sold and/or offered for sale by Best Buy is the Acer Nitro 5 15.6" AN515-54.

**30.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Google line of smartphones, more specifically, the Pixel 3a and 3a XL, and the Pixel 3 and 3 XL, covered by claims 1, 3, 6-10, and/or 15-18 of the '664 patent.

**31.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the BLU line of smartphones, for example, the Vivo XI, Vivo XI+ V9, V7 and V5, covered by claims 1, 3, 6-10, and/or 15-18 of the '664 patent.

**32.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Nokia line of smartphones, for example, the Nokia 4.2, covered by claims 1, 3, 6-10, and/or 15-18 of the '664 patent.

**33.** On information and belief, Best Buy, either alone or in conjunction with others, infringes and/or induces infringement of claims 1, 3, 6-10, and/or 15-18 of the '664 patent by using, selling, and/or offering to sell, and/or causing others to use in this judicial district and/or elsewhere in the United States, Accused Products that alone or in use are covered by such claims of the '664 patent.

**34.** On information and belief, Best Buy's customers purchase and use Best Buy's Accused Products and are instructed and/or encouraged by Best Buy to use such Accused Products that infringe one or more claims of the '664 patent.

**35.** On information and belief, Best Buy provides and will continue to provide encouragement and/or instructions, such as its website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct its customers to use, and use in the future, Accused Products in an infringing manner, specifically intending such customers will operate Accused Products in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '664 patent.

**36.** On information and belief, Best Buy indirectly infringes one or more claims of the '664 patent in violation of 35 U.S.C. 271(b) by inducing its customers of Accused Products to directly infringe one or more claims of the '664 patent through their use of such Accused Products in accordance with Best Buy's encouragement and/or instructions.

**37.** For example, on information and belief, Best Buy induces direct infringement of the '664 patent by encouraging and instructing customers for the Accused Products via its website



literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct customers to use the Accused Products such that, by following Best Buy's encouragement and/or instructions, Best Buy's customers directly infringe one or more claims of the '664 patent. Best Buy engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages and/or instructs customers of its Accused Products to directly infringe the '664 patent.

**38.** Best Buy is liable for infringement of the '664 patent pursuant to 35 U.S.C. § 271.

**39.** Best Buy's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from Best Buy the damages sustained by Corydoras as a result of Best Buy's wrongful acts in an amount subject to proof at trial.

#### **COUNT II – INFRINGEMENT OF THE '256 PATENT**

**40.** On May 17, 2011, U.S. Patent No. 7,945,256 ("the '256 patent"), entitled "Communication Device" was duly and legally issued to the inventor, Iwao Fujisaki. The '256 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the '256 patent, including the right to sue for and recover all past, present and future damages for infringement of the '256 patent.

**41.** The '256 patent is presumed valid.

**42.** Best Buy's Accused Products are capable of voice communication and remote control of another device. For example, the Accused Products are made and sold with the capability to be used in an audio call between a user of the Accused Product and another person's device, and with the capability remotely control a smart device, such as a smart light bulb. Best Buy's Accused Products include a camera on the same side as the display (referred to as a front facing camera herein). Best Buy also refers to this camera as the "Front-facing camera" and/or

“Built-in Webcam.” Best Buy’s Accused Products are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

**43.** On information and belief, the Best Buy Accused Products and/or their use are covered by one or more of the following claims of the ‘256 patent: 1-3, 5, 8-11, and/or 16-18.

**44.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Microsoft Surface Go, Surface Pro 6, Surface Pro and Surface Book 2 tablets and/or laptops covered by claims 1-3, 5, 8-11, and/or 16-18 of the ‘256 patent, and the Microsoft Surface Laptop 2 covered by claims 1, 5 and 8 of the ‘256 patent.

**45.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Amazon Fire line of tablets, more specifically, the Fire HD 10 series, the Fire HD 8 series and the Fire 7 series of tablets covered by claims 1-3, 5, 8-11, and/or 16-18 of the ‘256 patent.

**46.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Dell line of laptops (including 2-in-1 devices), more specifically the Dell Inspiron series, having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Dell laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the ‘256 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the I7386, I7586, I7786, I5482 and I7390.

**47.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Alienware line of laptops having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Alienware laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the ‘256 patent. An example of a model used, sold and/or offered for sale by Best Buy is the AWM17-7219 SLV-PUS.

**48.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale HP laptops (including 2-in-1 devices) having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10, more specifically the Pavilion, Specter, Envy and Stream series (and all other such HP laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the ‘256 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the Pavilion x360 (14m-dh-0003dx), Specter x360 (13AP-0053DX), Envy 2-in-1 (15M-DS0011DX) and Stream 11.6” (11AK1012DX).

**49.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale Acer laptops having a front facing camera, that display a mirror image and additionally are preloaded with Windows 10, more specifically the Nitro 5 series (and all other such Acer laptops that have similar structure and capability), covered by 1, 5 and 8 of the ‘256 patent. An example of such a model used, sold and/or offered for sale by Best Buy is the Acer Nitro 5 15.6” AN515-54.

**50.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Google line of smartphones, more specifically, the Pixel 3a and 3a XL, and the Pixel 3 and 3 XL, covered by claims 1-3, 5, 8-11, and/or 16-18 of the ‘256 patent.

**51.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the BLU line of smartphones, for example, the Vivo XI, Vivo XI+, V9, V7 and V5, covered by claims 1-3, 5, 8-11, and/or 16-18 of the ‘256 patent.

**52.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Nokia line of smartphones, for example, the Nokia 4.2, covered by claims 1-3, 5, 8-11, and/or 16-18 of the ‘256 patent.

**53.** On information and belief, Best Buy, either alone or in conjunction with others, infringes and/or induces infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the ‘256 patent by using, selling, and/or offering to sell, and/or causing others to use, in this judicial district and/or elsewhere in the United States, Accused Products that alone or in use are covered by such claims of the ‘256 patent.

**54.** On information and belief, Best Buy’s customers purchase and use Best Buy’s Accused Products and are instructed and/or encouraged by Best Buy to use such Accused Products that infringe one or more claims of the ‘256 patent.

**55.** On information and belief, Best Buy provides and will continue to provide encouragement and/or instructions, such as its website literature, including overviews, descriptions, features and specification listings, and home service, that encourage and/or instruct its customers to use, and use in the future, Accused Products in an infringing manner, specifically intending such customers will operate Accused Products in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the ‘256 patent.

**56.** On information and belief, Best Buy indirectly infringes one or more claims of the ‘256 patent in violation of 35 U.S.C. 271(b) by inducing its customers of Accused Products to directly infringe one or more claims of the ‘256 patent through their use of such Accused Products in accordance with Best Buy’s encouragement and/or instructions.

**57.** For example, on information and belief, Best Buy induces direct infringement of the ‘256 patent by encouraging and instructing customers for the Accused Products via its website literature, including overviews, descriptions, features and specification listings, and home services that encourage and/or instruct customers to use Accused Products such that, by following Best Buy’s encouragement and/or instructions, Best Buy’s customers directly infringe one or more

claims of the '256 patent. Best Buy engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages and/or instructs customers of its Accused Products to directly infringe the '256 patent.

**58.** Best Buy is liable for infringement of the '256 patent pursuant to 35 U.S.C. § 271.

**59.** Best Buy's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from Best Buy the damages sustained by Corydoras as a result of Best Buy's wrongful acts in an amount subject to proof at trial.

### **COUNT III – INFRINGEMENT OF THE '037 PATENT**

**60.** On August 9, 2011, U.S. Patent No. 7,996,037 ("the '037 patent"), entitled "Communication Device" was duly and legally issued to the inventor, Iwao Fujisaki. The '037 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the '037 patent, including the right to sue for and recover all past, present and future damages for infringement of the '037 patent.

**61.** The '037 patent is presumed valid.

**62.** Best Buy's Accused Products are capable of voice communication and voice dialing. For example, the Accused Products are made and sold with the capability to be used in an audio call between a user of the Accused Product and another person's device, and with the capability to call another device using audio data obtained from a user via the device's microphone. Best Buy's Accused Products include a camera on the same side as the display (referred to as a front facing camera herein). Best Buy also refers to this camera as the "Front-facing camera" and/or "Built-in Webcam." Best Buy's Accused Products are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

**63.** On information and belief, the Accused Products and/or their use are covered by one or more of the following claims of the '037 patent: 1-3, 5, 8-11, and/or 16-18.

**64.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Microsoft Surface Go, Surface Pro 6, Surface Pro and Surface Book 2 tablets and/or laptops covered by claims 1-3, 5, 8-11, and/or 16-18 of the '037 patent, and the Microsoft Surface Laptop 2 covered by claims 1, 5 and 8 of the '037 patent.

**65.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Amazon Fire line of tablets, more specifically, the Fire HD 10 series, the Fire HD 8 series and the Fire 7 series of tablets covered by claims 1-3, 5, 8-11, and/or 16-18 of the '037 patent.

**66.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Dell line of laptops (including 2-in-1 devices), more specifically the Dell Inspiron series, having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Dell laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the '037 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the I7386, I7586, I7786, I5482 and I7390.

**67.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Alienware line of laptops having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Alienware laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the '037 patent. An example of a model used, sold and/or offered for sale by Best Buy is the AWM17-7219 SLV-PUS.

**68.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale HP laptops (including 2-in-1 devices) having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10, more specifically the Pavilion, Specter,

Envy and Stream series (and all other such HP laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the '037 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the Pavilion x360 (14m-dh-0003dx), Specter x360 (13AP-0053DX), Envy 2-in-1 (15M-DS0011DX) and Stream 11.6" (11AK1012DX).

**69.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale Acer laptops having a front facing camera, that display a mirror image and additionally are preloaded with Windows 10, more specifically the Nitro 5 series (and all other such Acer laptops that have similar structure and capability), covered by 1, 5 and 8 of the '037 patent. An example of such a model used, sold and/or offered for sale by Best Buy is the Acer Nitro 5 15.6" AN515-54.

**70.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Google line of smartphones, more specifically, the Pixel 3a and 3a XL, and the Pixel 3 and 3 XL, covered by claims 1-3, 5, 8-11, and/or 16-18 of the '037 patent.

**71.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the BLU line of smartphones, for example, the Vivo XI, Vivo XI+, V9, V7 and V5 covered by claims 1-3, 5, 8-11, and/or 16-18 of the '037 patent.

**72.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Nokia line of smartphones, for example, the Nokia 4.2, covered by claims 1-3, 5, 8-11, and/or 16-18 of the '037 patent.

**73.** On information and belief, Best Buy, either alone or in conjunction with others, infringes and/or induces infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the '037 patent by using, selling, and/or offering to sell, and/or causing others to use, in this judicial district

and/or elsewhere in the United States, Accused Products that alone or in use are covered by such claims of the '037 patent.

**74.** On information and belief, Best Buy's customers purchase and use Best Buy's Accused Products and are encouraged and/or instructed by Best Buy to use such Accused Products that infringe one or more claims of the '037 patent.

**75.** On information and belief, Best Buy provides and will continue to provide encouragement and/or instructions, such as website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct customers to use, and use in the future, Accused Products in an infringing manner, specifically intending such customers will operate Accused Products devices in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '037 patent.

**76.** On information and belief, Best Buy indirectly infringes one or more claims of the '037 patent in violation of 35 U.S.C. 271(b) by inducing its customers of Accused Products to directly infringe one or more claims of the '037 patent through their use of such Accused Products in accordance with Best Buy's encouragement and/or instructions.

**77.** For example, on information and belief, Best Buy induces direct infringement of the '037 patent by encouraging and/or instructing customers for the Accused Products via its website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct customers to use one or more Accused Products such that, by following Best Buy's encouragement and instructions, Best Buy's customers directly infringe one or more claims of the '037 patent. Best Buy engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages and/or instructs customers of its Accused Products to directly infringe the '037 patent.



**78.** Best Buy is liable for infringement of the '037 patent pursuant to 35 U.S.C. § 271.

**79.** Best Buy's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from Best Buy the damages sustained by Corydoras as a result of Best Buy's wrongful acts in an amount subject to proof at trial.

#### **COUNT IV – INFRINGEMENT OF THE '009 PATENT**

**80.** On September 20, 2011, U.S. Patent No. 8,024,009 ("the '009 patent"), entitled "Communication Device" was duly and legally issued to the inventor, Iwao Fujisaki. The '009 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the '009 patent, including the right to sue for and recover all past, present and future damages for infringement of the '009 patent.

**81.** The '009 patent is presumed valid.

**82.** Best Buy's Accused Products are capable of voice communication and rejecting an incoming call. The Accused Products sold by Best Buy include capability to reject an unwanted caller, such capability, for example, is identified as "Block contact," "Block numbers," and/or "All calls to voicemail." If "Block contact," "Block numbers" or "All calls to voicemail" is enabled on an Accused Product, an incoming call from a caller that has been so designated will be rejected and it will not be connected to conduct a voice communication with the Accused Product. Best Buy's Accused Products include a camera on the same side as the display (referred to as a front facing camera herein). Best Buy also refers to this camera as the "Front-facing camera" and/or "Built-in Webcam." Best Buy's Accused Products are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

**83.** On information and belief, the Accused Products and/or their use are covered by one or more of the following claims of the '009 patent: 1-3, 5, 8-11, and/or 16-18.

**84.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Microsoft Surface Go, Surface Pro 6, Surface Pro and Surface Book 2 tablets and/or laptops covered by claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent, and the Microsoft Surface Laptop 2 covered by claims 1, 5 and 8 of the '009 patent.

**85.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Amazon Fire line of tablets, more specifically, the Fire HD 10 series, the Fire HD 8 series and the Fire 7 series of tablets covered by claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent.

**86.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Dell line of laptops (including 2-in-1 devices), more specifically the Dell Inspiron series, having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Dell laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the '009 patent. Examples of models of such devices used, sold and/or offered for sale by Best Buy include the I7386, I7586, I7786, I5482 and I7390.

**87.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Alienware line of laptops having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10 (and all other such Alienware laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the '009 patent. An example of a model used, sold and/or offered for sale by Best Buy is the AWM17-7219 SLV-PUS.

**88.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale HP laptops (including 2-in-1 devices) having a front facing camera, that displays a mirror image and additionally are preloaded with Windows 10, more specifically the Pavilion, Specter, Envy and Stream series (and all other such HP laptops that have similar structure and capability), covered by claims 1, 5 and 8 of the '009 patent. Examples of models of such devices used, sold

and/or offered for sale by Best Buy include the Pavilion x360 (14m-dh-0003dx), Specter x360 (13AP-0053DX), Envy 2-in-1 (15M-DS0011DX) and Stream 11.6" (11AK1012DX).

**89.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale Acer laptops having a front facing camera, that display a mirror image and additionally are preloaded with Windows 10, more specifically the Nitro 5 series (and all other such Acer laptops that have similar structure and capability), covered by 1, 5 and 8 of the '009 patent. An example of such a model used, sold and/or offered for sale by Best Buy is the Acer Nitro 5 15.6" AN515-54.

**90.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Google line of smartphones, more specifically, the Pixel 3a and 3a XL, and the Pixel 3 and 3 XL, covered by claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent.

**91.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the BLU line of smartphones, for example, the Vivo XI, Vivo XI+, V9, V7 and V5, covered by claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent.

**92.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Nokia line of smartphones, for example, the Nokia 4.2, covered by claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent.

**93.** On information and belief, Best Buy, either alone or in conjunction with others, infringes and/or induces infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent by using, selling, and/or offering to sell, and/or causing others to use, in this judicial district and/or elsewhere in the United States, Accused Products that alone or in use are covered by such claims of the '009 patent.

**94.** On information and belief, Best Buy's costumers purchase and use Best Buy's Accused Products and are instructed and/or encouraged by Best Buy to use such Accused Products that infringe one or more claims of the '009 patent.

**95.** On information and belief, Best Buy provides and will continue to provide encouragement and/or instructions, such as its website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct its customers to use, and use in the future, Accused Products in an infringing manner, specifically intending such customers will operate Accused Products in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '009 patent.

**96.** On information and belief, Best Buy indirectly infringes one or more claims of the '009 patent in violation of 35 U.S.C. 271(b) by inducing its customers of Accused Products to directly infringe one or more claims of the '009 patent through their use of such Accused Products in accordance with Best Buy's encouragement and/or instructions.

**97.** For example, on information and belief, Best Buy induces direct infringement of the '009 patent by encouraging and instructing customers of the Accused Products via its website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct customers to use the Accused Products such that, by following Best Buy's encouragement and/or instructions, Best Buy's customers directly infringe one or more claims of the '009 patent. Best Buy engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages and/or instructs customers of its Accused Products to directly infringe the '009 patent.

**98.** Best Buy is liable for infringement of the '009 patent pursuant to 35 U.S.C. § 271.

**99.** Best Buy's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from Best Buy the damages sustained by Corydoras as a result of Best Buy's wrongful acts in an amount subject to proof at trial.

**COUNT V – INFRINGEMENT OF THE '540 PATENT**

**100.** On May 20, 2014, U.S. Patent No. 8,731,540 ("the '540 patent"), entitled "Communication Device" was duly and legally issued to the inventor, Iwao Fujisaki. The '540 patent has been assigned to Corydoras. Corydoras owns all right, title and interest in the '540 patent, including the right to sue for and recover all past, present and future damages for infringement of the '540 patent.

**101.** The '540 patent is presumed valid.

**102.** Best Buy's Accused Products are capable of voice communication and email. For example, the Accused Products are made and sold with the capability to be used in an audio call between a user of the Accused Product and another person's device. Best Buy's Accused Products are capable of sending and receiving email. Best Buy's Accused Products are capable of authoring an email based on input from a user and wirelessly transmitting such email to a recipient. Best Buy's Accused Products include a camera on the same side as the display (referred to as a front facing camera herein). Best Buy also refers to this camera as the "Front-facing camera" and/or "Built-in Webcam." Best Buy's Accused Products are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

**103.** On information and belief, the Accused Products and/or their use are covered by one or more of the following claims of the '540 patent: 1-6, 8-11, and/or 13-16.

**104.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Microsoft Surface Go, Surface Pro 6, Surface Pro and Surface Book 2 tablets and/or laptops covered by claims 1-6, 8-11, and/or 13-16 of the ‘540 patent.

**105.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Amazon Fire line of tablets, more specifically, the Fire HD 10 series, the Fire HD 8 series and the Fire 7 series of tablets covered by claims 1-6, 8-11, and/or 13-16 of the ‘540 patent.

**106.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Google line of smartphones, more specifically, the Pixel 3a and 3a XL, and the Pixel 3 and 3 XL, covered by claims 1-6, 8-11, and/or 13-16 of the ‘540 patent.

**107.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the BLU line of smartphones, for example, the Vivo XI, Vivo XI+, V9, V7 and V5, covered by claims 1-6, 8-11, and/or 13-16 of the ‘540 patent.

**108.** More specifically, on information and belief, Best Buy uses, sells and/or offers for sale the Nokia line of smartphones, for example, the Nokia 4.2, covered by claims 1-6, 8-11, and/or 13-16 of the ‘540 patent.

**109.** On information and belief, Best Buy, either alone or in conjunction with others, infringes and/or induces infringement of at least claims 1-6, 8-11, and/or 13-16 18 of the ‘540 patent by using, selling, and/or offering to sell, and/or causing others to use, in this judicial district and/or elsewhere in the United States, Accused Products that alone or in use are covered by such claims of the ‘540 patent.

**110.** On information and belief, Best Buy customers purchase and use Best Buy’s Accused Products and are instructed and/or encouraged by Best Buy to use such Accused Products to infringe one or more claims of the ‘540 patent.

**111.** On information and belief, Best Buy provides and will continue to provide encouragement and/or instructions, such as its website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct its customers to use Accused Products in an infringing manner, specifically intending such customers will operate Accused Products in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the ‘540 patent.

**112.** On information and belief, Best Buy indirectly infringes one or more claims of the ‘540 patent in violation of 35 U.S.C. 271(b) by inducing its customers of Accused Products to directly infringe one or more claims of the ‘540 patent through their use of such Accused Products in accordance with Best Buy’s encouragement and/or instructions.

**113.** For example, on information and belief, Best Buy induces direct infringement of the ‘540 patent by encouraging and/or instructing customers for the Accused Products via its website literature, including overviews, descriptions, features and specification listings, that encourage and/or instruct customers to use Accused Products such that, by following Best Buy’s encouragement and/or instructions, Best Buy’s customers directly infringe one or more claims of the ‘540 patent. Best Buy engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages customers of its Accused Products to directly infringe the ‘540 patent.

**114.** Best Buy is liable for infringement of the ‘540 patent pursuant to 35 U.S.C. § 271.

**115.** Best Buy’s acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from Best Buy the damages sustained by Corydoras as a result of Best Buy’s wrongful acts in an amount subject to proof at trial.

**PRAYER FOR RELIEF**

**WHEREFORE**, Corydoras prays for entry of judgment that:

- A.** Best Buy has directly infringed and/or induced infringement of the ‘664, ‘256, ‘037, ‘009, and ‘540 patents;
- B.** Best Buy accounts for and pays to Corydoras all damages caused by Best Buy’s infringement of the ‘664, ‘256, ‘037, ‘009, and ‘540 patents;
- C.** Corydoras be granted pre-judgment and post-judgment interest on the damages caused to it by reason of Best Buy’s patent infringement;
- D.** Corydoras be granted its reasonable attorneys’ fees;
- E.** Costs be awarded to Corydoras; and,
- G.** Corydoras be granted such other and further relief as the Court may deem just and proper under the circumstances.

**DEMAND FOR JURY TRIAL**

Corydoras demands trial by jury on all claims and issues so triable.

Respectfully submitted,

Dated: September 4, 2019

By: /s/ John T. Polasek

John T. Polasek  
Texas Bar. No. 16088590  
[ted@epiplawyers.com](mailto:ted@epiplawyers.com)  
Elliott & Polasek, PLLC  
6750 West Loop South, Suite 995  
Bellaire, Texas 77401  
Telephone: (832) 485-3560  
Facsimile: (832) 778-6010

Elizabeth L. DeRieux  
State Bar No. 05770585  
[ederieux@capshawlaw.com](mailto:ederieux@capshawlaw.com)  
CAPSHAW DERIEUX, LLP  
114 East Commerce Avenue



Gladewater, Texas 75647  
Telephone: (903) 236-9800  
Facsimile: (903) 236-8787